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APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/028,404	12	2/21/2001	Jang-Keun Oh	AB-1125 US	3626		
26530	7590	10/16/2003		EXAM	EXAMINER		
LADAS &		TILL, TER	TILL, TERRENCE R				
CHICAGO,		IN AVENUE, SUIT	E 1200	ART UNIT	ART UNIT PAPER NUMBER		
,				1744			

**DATE MAILED: 10/16/2003** 

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)	_ <u></u>
•		10/028,404	OH, JANG-KEUN	
	Office Action Summary	Examin r	Art Unit	· · · · · · · · · · · · · · · · · · ·
		Terrence R. Till	1744	
Period f	Th MAILING DATE of this communication ap or Reply	pears on the cov r sh et w	ith th corr spond nce address	
THE - Extending - If th - If No - Fail - Any	MAILING DATE OF THIS COMMUNICATION.  In SIX (6) MONTHS from the mailing date of this communication are period for reply specified above is tess than thirty (30) days, a reply period for reply is specified above, the maximum statutory period ure to reply within the set or extended period for reply will, by stature to reply within the set or extended period for reply will, by stature to reply within the set or extended period for reply will, by stature to reply within the set or extended period for reply will, by staturely received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	.136(a). In no event, however, may a ply within the statutory minimum of thin d will apply and will expire SIX (6) MOI te, cause the application to become Al	reply be timely filed  ty (30) days will be considered timely.  NTHS from the mailing date of this commun  BANDONED (35 U.S.C. § 133).	· ication.
1) 🗌	Responsive to communication(s) filed on	· ·		
2a) <u></u> ☐	This action is <b>FINAL</b> . 2b)⊠ T	his action is non-final.		
3)□ Disposit	Since this application is in condition for allow closed in accordance with the practice unde ion of Claims			rits is
4) 🛛	Claim(s) 1-12 is/are pending in the application	n.		
	4a) Of the above claim(s) is/are withdra	awn from consideration.		
5)	Claim(s) 8-12 is/are allowed.			
6)⊠	Claim(s) 1.4 and 5 is/are rejected.	•		
7) 🖂	Claim(s) 2,3,6 and 7 is/are objected to.			
8)	Claim(s) are subject to restriction and/	or election requirement.		
Applicat	ion Papers			٠.
9)[	The specification is objected to by the Examin	er.		
10)⊠	The drawing(s) filed on 21 December 2001 is/s	are: a)□ accepted or b)⊠ o	bjected to by the Examiner.	•
_	Applicant may not request that any objection to the	• , ,	` '	
11)	The proposed drawing correction filed on		lisapproved by the Examiner.	
	If approved, corrected drawings are required in re	• •		
•	The oath or declaration is objected to by the E	xaminer.		
_	under 35 U.S.C. §§ 119 and 120	,		
	Acknowledgment is made of a claim for foreig	ın priority under 35 U.S.C.	§ 119(a)-(d) or (f).	
a)	⊠ All b)  Some * c)  None of:			
	1. Certified copies of the priority documen			
	2. Certified copies of the priority documen	ts have been received in A	pplication No	
* (	3. Copies of the certified copies of the price application from the International Bese the attached detailed Office action for a list	ureau (PCT Rule 17.2(a)).	_	e ´
	Acknowledgment is made of a claim for domest	•	•	ication).
а	)   The translation of the foreign language pr Acknowledgment is made of a claim for domes	ovisional application has b	een received.	,
, — Attachmen		, , , , , , , , , , , , , , , , , , , ,		
2) Notic	e of References Cited (PTO-892) se of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s) &	5) Notice of	Summary (PTO-413) Paper No(s) Informal Patent Application (PTO-152)	

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### **DETAILED ACTION**

### **Drawings**

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. If this is not true, please address it in your response.

# Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 5. In claim 4, "the closed end of the cyclone body" lacks antecedent basis. It is not clear if applicant meant to have claim 4 depend from claim 1 or claims 2 or 3.

### Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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7. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by European patent application to Royal Appliance (cited in I.D.S.).

8. Royal Appliance discloses an upright type vacuum cleaner comprising an upper dust chamber B, a lower motor driving chamber C, a cyclone body H mounted in an upper portion of the dust chamber, a dust barrel removably mounted to a lower side of the cyclone body, a suction brush 36 mounted on a lower portion of the cleaner body and a fine dust filtering means F removably disposed in the air outflow path. Royal Appliance also discloses a handle 96 formed on a sidewall of the dust barrel.

## Allowable Subject Matter

- 9. Claims 2, 3, 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- 10. Claim 4, as best understood, would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
- 11. Claims 8-12 are allowed.
- 12. The following is an examiner's statement of reasons for allowance: With respect to claim 8, the prior art does not disclose nor render obvious the claimed combination, particularly the head portion including a grille extending toward a closed end of the cover, the closed end of the cover having a spiral surface forming a contaminant discharge port. Although the prior art

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discloses the claimed parts, to put these parts together would not have been obvious to a person having ordinary skill in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Davis et al., Yonkers, LG Electronics and Oh show the current state of the art. The patent to Oh is cited as the disclosed/claimed subject matter is very similar.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Till whose telephone number is (703) 308-1592. The examiner can normally be reached on Mon. through Thurs. and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on (703) 308-2920. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Primary Examiner
Art Unit 1744